

**MINUTES OF THE REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF BARRINGTON
Monday, May 10, 2004**

CALL TO ORDER

The Regular Meeting of the President and Board of Trustees was called to order by President Reagle at 8:05 p.m., in the Village Board Room, 200 South Hough Street, Barrington, Illinois. Pastor Dan Spikes led the pledge of allegiance and then gave the invocation.

ROLL CALL

Upon roll being called the following answered present: Trustees Karen Darch, Jack Schaefer, Beth Raseman, Jeanne Yeagley, Paul Hunt, Jim Daluga; President Marshall Reagle. Also present were: Village Clerk Ron Koppelman, Chief Lawler filling in for a vacationing Director of Administrative Services Denise Pieroni, and Village Attorney Ed Springer.

READING OF AGENDA

President Reagle asked the Board if there were any additions, corrections or deletions to the Agenda. None were requested.

APPROVAL OF MINUTES

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Darch to approve the minutes of the April 26, 2004 Regular Meeting of the Corporate Authorities as presented.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed and the minutes approved.

PERSONS TO BE HEARD FROM THE FLOOR – CITIZEN'S REGISTRATION/COMMENTS

President Reagle opened the floor to those wishing to address the Corporate Authorities.

Carol Andler of 1261 Burr Oak Ln and Margaret Galvin of 709 Bent Ridge spoke jointly on the American Cancer Society Relay For Life event that will occur on June 11th and 12th at Barrington High School.

Sandra Brottman of 440 Park Barrington Dr asked to withhold her remarks until later in the meeting.

Patrick Potts of 25886 W Scott Rd spoke on behalf of Barrington Residents United for School Alternatives or BRUSA. Mr. Potts commented on the purpose of the BRUSA organization and emphasized their pro-education approach and desire for a dialog with the Barrington School Board on any issues relative to the Proposed School Site.

Barbara Benson of Barrington (no address provided) commented on the possible environmental impact of the Proposed School Site on threatened species of birds that might be in the area.

Bill Hartman of 1200 S Hough St spoke on the parking changes during and after the construction of Cook St Plaza. Mr. Hartman also commented on the use of TIF funds.

REPORTS OF VILLAGE OFFICIALS

VILLAGE PRESIDENT'S REPORT

- a. Proclamation – Public Works Week
Trustee Jack Schaefer read the Proclamation for the record.
- b. Proclamation – Peace Officers Memorial Day – Police Week
Trustee Hunt read the Proclamation for the record.

President Reagle commented on the Proposed School Site and the impact of possible increases in traffic from additional school buses. President Reagle went on to comment on the use of TIF district funding for Cook Street Plaza and read portions of the state statute containing definitions and characteristics of TIF Districts.

VILLAGE STAFF REPORTS

Police Chief Lawler, sitting in for Denise Pieroni, reported that there were updates to the Agenda at the dais. Police Chief Lawler reminded the community of the upcoming bike safety checks.

VILLAGE CLERK'S REPORT

Village Clerk Ron Koppelman had no report.

COMMITTEE REPORTS

ADMINISTRATIVE SERVICES/FINANCE COMMITTEE

Trustee Darch commented that President Reagle might consider using the President's Report to report on the status of the Village. Trustee Darch reported on the status of the streaming video for the website approved by the Board at the last meeting. Trustee Darch commented that the purpose of the proposed 2003 Budget change. Trustee Darch advised the Board that the legal bills presented for consideration are being recommended for payment with the exception of payment of the bills to Ancel Glink et al, noting that the Committee maintains the position that payment for services provided by Ancel Glink et al on behalf of President Marshall Reagle are not the responsibility of the Village.

Julie Myer was welcomed as the new HR manager for the Village. Trustee Darch concluded that the February sales tax results for this year were 15% higher than February of the previous year and encouraged residents to continue shopping in Barrington.

Trustee Yeagley left the dais at approximately 8:55pm and returned at approximately 9:00pm.

PLANNING & ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Trustee Yeagley had no report.

PUBLIC SAFETY COMMITTEE

Trustee Hunt had no report.

PUBLIC WORKS COMMITTEE

Trustee Schaefer reported that the next meeting would be in two weeks on May 24, 2004 and that the agenda would include sidewalk and street improvements as well as discussion on the future of the waste and recycling program and invited residents to attend to voice their opinions.

CONSENT AGENDA Pursuant to 65 ILCS 5/3.1-40-40, a single roll call vote of the Village Board of Trustees and the President on a group of ordinances, resolutions, orders, and/or motions.

President Reagle asked if anyone wished to have any items removed from the Consent Agenda. None were noted.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Schaefer to approve taking a single roll call vote to adopt and create a Consent Agenda, consisting of Items 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, and 5i.

For the benefit of the public, President Reagle listed the following items to be included on the Consent Agenda.

- 5a. MOTION TO RECEIVE AND PLACE ON FILE** a Recommendation from the Plan Commission Regarding PC 04-01; Text Amendment to the Zoning Ordinance (Fee-in-Lieu of Parking Spaces)
- 5b. MOTION TO RECEIVE AND PLACE ON FILE** a Recommendation from the Architectural Review Commission Regarding ARC 04-05; Barrington Commerce Center, LLC (1525 South Grove Avenue) (Certificate of Approval)
- 5c. MOTION TO RECEIVE AND PLACE ON FILE** a Recommendation from the Plan Commission Regarding PC 04-02; Barrington Commerce Center, LLC (1525 South Grove Avenue) (Planned Development)
- 5d. MOTION TO RECEIVE AND PLACE ON FILE** a Recommendation from the Plan Commission Regarding PC 04-06; Cook Street Plaza Plat of Subdivision
- 5e. RESOLUTION #04-3002:** Authorizing a Waiver of Bids and Approving an Award of Contract to SKC Construction, Inc. (2004 Annual Pavement Crack Sealing Program)
- 5f. RESOLUTION #04-3003:** Approving and Authorizing Execution of an "Intergovernmental Agreement among the Member Agencies of the Major Crash Assistance Team"
- 5g. RESOLUTION #04-3004:** Waiver of Sound Amplification Time Restriction for an Outdoor Event to be Held Friday, June 25, 2004 from 8:00 p.m. until 11:00 p.m.
- 5h. RESOLUTION #04-3005:** Authorizing Waiver of Food Vendor License Fees and Sound Amplification Fees for the 1st Annual Barrington Micro-Brew Fest, to be Held Saturday, July 10, 2004 From 1:00 p.m. Until 6:00 p.m.
- 5i. RESOLUTION #04-3006:** Authorizing Waiver of Food Vendor License Fees and Sound Amplification Fees and Time Restriction For Barrington Cruise Nights, to be Held Thursday Evenings from June 3, 2004 Through September 2, 2004

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion to take a single roll call vote to adopt and create the Consent Agenda passed unanimously.

MOTION: A motion was duly made by Trustee Daluga and seconded by Trustee Hunt to approve the Consent Agenda consisting of Items 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, and 5i.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion passed.

UNFINISHED BUSINESS

- 6a. ORDINANCE #04-3149:** Sixth Amendment to the Text of the Zoning Ordinance of the Village of Barrington Adopted on March 19, 2001 (Ordinance No. 01-2919) (Relating to Fee-in-Lieu of Parking Spaces)

MOTION: A motion was duly made by Trustee Yeagley and seconded by Trustee Darch to amend the Ordinance listed as Item 6a on the Agenda to add the text presented by Jim Wallace and provided in writing to the Corporate Authorities at the dais.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Raseman to pass, as amended, the Ordinance listed as Item 6a on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

NEW BUSINESS

- 7a. ORDINANCE #04-3150:** Repeal of Ordinance No. 01-2923 and Amendment to Ordinance No. 1777 (Office and Research Planned Development Ordinance) as Amended by Ordinance No. 2046 (Ordinance Amending the Office and Research Planned Development Ordinance No. 1777) [Re: PC 04-02 Barrington Commerce Center – 1525 South Grove Avenue (Planned Development)]

Jeff O'Brien presented an overview of the proposed amendments provided in writing to the Corporate Authorities at the dais that corrected incorrect references and typographical errors, deleted Section 4 and replaced it with Section 9, renumbered Section 10 as Section 9. Jeff O'Brien included an additional amendment requested by the Petitioner to provide in renumbered Section 9 that the Petitioner must accept the Ordinance before it's effective and to add a signature page to accomplish the approval. He then responded to questions from the Board on the zoning for the property as to what is allowed under ordinance for the square footage of building development and the proposed square footage of the development. The Board asked Mr. O'Brien to respond to the water retention capabilities of the proposal as well as the plans for screening the development from local residents. Mr. O'Brien responded to questions from the Board on the height of the building and the distance of the parking lot and the closest building to Park Barrington. Mr. O'Brien responded to statements on the roads serving the development as well as the number of restrooms in the development.

Sandra Brottman of 440 Park Barrington Dr commented that the developer had discussed plans to screen the development from the property of surrounding residents. Ms. Brottman commented on the need for a signal at Grove and Rt. 68.

Daniel Frommeyer of Daniel Frommeyer Ltd, representing the Petitioner, corrected a statement regarding the height of the berm on which the landscaped screening will be provided for the surrounding residents in Park Barrington. Mr. Frommeyer commended the professionalism of the staff of the Village of Barrington and urged the Board to approve the Ordinance.

MOTION: A motion was duly made by Trustee Daluga and seconded by Trustee Raseman to pass the Ordinance listed as Item 7a on the Agenda, as amended by the provisions presented in writing at the dais as well as the addition of the text requested by the Petitioner to require acceptance of the Ordinance before it's effective.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion passed.

- 7b. RESOLUTION #04-3007:** ARC 04-05: Barrington Commerce Center LLC (1525 South Grove Avenue)

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Darch to pass, as presented, the Resolution listed as Item 7b on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion passed.

- 7c. ORDINANCE #04-3151:** Authorizing the Conveyance of Public Real Estate

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Hunt to pass, as presented, the Ordinance listed as Item 7c on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, nay. President Reagle declared the motion passed.

7d. ORDINANCE #04-3152: Vacating a Portion of Certain Public Rights of Way (Portion of Cook and Station Streets)

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Darch to pass, as presented, the Ordinance listed as Item 7d on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, nay. President Reagle declared the motion passed.

7e. RESOLUTION #04-3008: Resolution for the Approval of a Plat of Subdivision (Cook Street Plaza Vertical Subdivision PC 04-06)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Hunt to pass, as presented, the Resolution listed as Item 7e on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, nay. President Reagle declared the motion passed.

7f. ORDINANCE #04-3153: An Ordinance of the Village of Barrington, Cook and Lake Counties, Illinois Providing for the Issuance of a Not to Exceed \$1,775,000 Taxable Tax Increment Revenue Note (Village Center Redevelopment Project), Series 2004, and Pledging Certain Incremental Property Tax Revenues to the Payment Thereof

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to pass the Ordinance listed as Item 7f on the Agenda. (which such Agenda Item is identified by the notation "Note – Ord. 2061240Barringtonpmc/5/7/04" and for ease of reference in these minutes is referred to as the "5/07/04 draft").

Mr. Mark Gershon of Piper Rudnick, attorney for the Village, advised the Board of the nature of the Note and Ordinance being considered and their relationship to the previously approved redevelopment agreement as well as the several amendments that have been proposed to the draft of the ordinance that was originally submitted. A copy of the revised draft of the ordinance with the proposed amendments has been provided to each member of the Corporate Authorities at the dais (which such revised draft is identified by the notation "1683404_02_0507_27295.doc 2061240Barringtonpmc/5/10/04" and for ease of reference in these minutes is referred to as the "5/10/04 draft").

Mr. Gershon then reviewed the proposed amendments in the 5/10/04 draft provided at the dais.

In order to add an urgency provision to make the ordinance effective upon its passage and in addition to the amendments in the 5/10/04 draft provided at the dais, Mr. Gershon recommended that the following text be added by amending Section 20 after the word "but" to add the following text "in order to allow for timely development of the property and the securing of financing . . ."

Mr. Gershon then commented on the changes to the Ordinance presented at the dais. Mr. Gershon responded to a question from the Board on the likelihood of advancing payment to the developer and commented that under the redevelopment agreement, the developer would not be receiving advance payments. Mr. Gershon responded to a question from the Board on whether or not the TIF district is a fully qualified TIF district by saying that because Piper Rudnick did not represent the Village of Barrington on the TIF district originally he could not give a legal opinion on the validity of the TIF District, but added that he believed the TIF district was properly qualified. The Board commented that the support of the District 220 School Board for the TIF district implied that the School Board believed that the overall result of the TIF district would be to result in an overall increase of taxable property. The Board commented that the TIF district is what is needed to provide development in the Village Center and that to wait for a development to happen in the Village Center without TIF support would result in no development at all. The Board commented on the need for the project to inject vitality into the Village Center by bringing new residential and retail development.

MOTION TO AMEND THE ORDINANCE PRESENTED AS AGENDA ITEM 7f: A motion was duly made by Trustee Yeagley and seconded by Trustee Schaefer to amend the ordinance presented as Item 7f. (i.e. the 5/07/04 draft) to include all of the changes in the draft presented to the Corporate Authorities at the dais (i.e. the 5/10/04 draft) and to include the amendment to Section 20 adding the text after the word "but" "in order to allow for timely development of the property and the securing of financing".

At this point, President Reagle called a recess in the meeting. The time was then 10:00 P.M. The meeting resumed at 10:23 P.M. at which time President Reagle called the meeting to order and noted for the record that all of the Trustees and the Village President who were present prior to the commencement of the recess were still in attendance.

WITHDRAWAL OF MOTION TO AMEND THE ORDINANCE PRESENTED AS AGENDA ITEM 7f: The Motion made by Trustee Yeagley and seconded by Trustee Schaefer to amend the ordinance presented as Agenda Item 7f. as hereinabove set forth was withdrawn by them and a new motion to amend was presented.

MOTION TO AMEND THE ORDINANCE PRESENTED AS AGENDA ITEM 7f: A motion was duly made by Trustee Schaefer and seconded by Trustee Hunt to amend the ordinance presented as Agenda Item 7f. (i.e. the 5/07/04 draft) by including all of the amendments set forth in the revised copy of the ordinance presented to the Corporate Authorities at the dais (i.e. the 5/10/04 draft) and by amending Section 20 thereof to include an urgency provision as recommended by Mr. Gershon to provide as follows:

"Section 20. Publication. This Ordinance shall be published in pamphlet form as provided by Illinois law by authority of the Corporate Authorities, but, in order to allow for timely development of the Property and the securing of financing, shall be immediately in full force and effect upon its passage by a vote of two-thirds of the Corporate Authorities then holding office."

ROLL CALL ON THE MOTION TO AMEND THE ORDINANCE PRESENTED AS AGENDA ITEM 7f (I.E. TO AMEND THE 5/07/04 DRAFT BY THE 5/10/04 DRAFT AND SECTION 20 REVISION): Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, nay. President Reagle declared the motion passed.

ROLL CALL ON THE MOTION TO APPROVE THE ORDINANCE PRESENTED AS AGENDA ITEM 7f (I.E. THE 5/07/04 DRAFT) AS AMENDED (I.E. BY THE 5/10/04 DRAFT AND SECTION 20 REVISION): Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, nay. President Reagle declared the motion passed.

7g. ORDINANCE #04-3154 : Amendment to the Annual Budget of the Village of Barrington, Illinois Fiscal Year 2003

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Schaefer to pass, as presented, the Ordinance listed as Item 7g on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion passed.

7h. ORDINANCE #04-3155: Amending Chapters 8 and 9 of Title 1 of the 2004 Village of Barrington Village Code (RE: Village Ethics Board, Prohibited Political Activities, and Gift Ban Ordinance)

Mr. Bateman reviewed the highlights of the Amendment to the Barrington Village Code. The Board asked about members making statements relative to announcing an intention to run for office.

Mr. Lawler left the meeting at approximately 10:45pm and returned at approximately 10:48pm.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Yeagley to pass, as presented, the Ordinance listed as Item 7h on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

7i. RESOLUTION #04- : Resolution Regarding Proposed School Site, Old Barrington Road

MOTION: A motion was duly made by Trustee Yeagley and seconded by Trustee Hunt to pass, as presented, the Resolution listed as Item 7i on the Agenda.

The Board commented on options that District 220 has to build a facility including adding to existing facilities and other locations than the current proposed site. The Board commented that this might be a better issue for other municipalities to consider since the property for the proposed site is not in the Village of Barrington. The Board commented that there is a lack of complete information on which to make a decision and suggested tabling the discussion to a later date. The Board commended the residents speaking on behalf of BRUSA for their diligence and that the Board should not be making a position on an issue that should be directed at the School District.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to table the Resolution listed as Item 7i on the Agenda.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

PAYMENT OF BILLS:

WARRANTS' LIST – 5/10/04 - \$6,386.23 (125 REIMBURSEMENT)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Schaefer to approve the payment of the bills included on the voucher listing for the period ending 05/10/04 in the amount of \$6,386.23.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS' LIST – 5/10/04 - \$ 166,242.51 (GENERAL)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Raseman to approve the payment of the bills included on the voucher listing for the period ending 05/10/04 in the amount of \$166,242.51.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS' LIST – 5/10/04 - \$ 5,071.59 (COMED)

MOTION: A motion was duly made by Trustee Yeagley and seconded by Trustee Schaefer to approve the payment of the bills included on the voucher listing for the period ending 05/10/04 in the amount of \$5,071.59.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, recused; Trustee Daluga, aye. President Reagle declared the motion passed.

COMMENTS – “ROUND THE TABLE”

Trustee Darch reminded residents about the Cruise Nights starting in the Village of Barrington on June 3rd and running through September and encouraged residents to attend.

Trustee Schaefer had no comment.

Trustee Raseman expressed her desire to have a discussion regarding the politicization of the President's Report.

Trustee Yeagley commented that the Board should meet collectively with the School District to have them explain why the School District chose the current site.

Trustee Hunt thanked the residents who came out to express their views on the various items on the Agenda. Trustee Hunt asked that families consider supporting the Relay for Life.

Trustee Daluga had no comment.

ADJOURNMENT

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Hunt to adjourn the Regular Meeting of the President and Board of Trustees.

A voice vote was then called following which President Reagle declared the motion to adjourn had been unanimously adopted and the meeting was adjourned. The time was 11:15 p.m., Monday, May 10, 2004,

Ron Koppelman, Village Clerk